

## Commercial Advertiser

WALTER G. SMITH - - EDITOR

FRIDAY : : : : AUGUST 8.

## THE CONGESTED COURTS.

There is a way by which the existing congestion in the First Circuit Court could be relieved without injustice to litigants and with great saving to the treasury. Let the lawyers sign a general stipulation waiving jury trials in all civil causes now on the docket in which they are entered as attorneys. Two judges could, by sitting alternately, soon clear off the calendar. Each judge could then have ample time to make up his findings in the case first submitted, while his colleague was trying the next case. All the time consumed in impaneling juries, wrangling over the admissibility of evidence, discussing instructions and charging the jury would be saved, and instead of four cases a week the court could easily dispose of two or three cases a day by opening court at nine o'clock, taking an hour for luncheon, sitting until five o'clock and limiting the duration of arguments. It is true that such a course would deprive the party who was in the wrong of the palladium of his liberties, the inestimable right of having his case passed upon by twelve American citizens who when they reached the jury room would probably have forgotten half of the evidence, all of the argument and most of the instructions in the case. But 'nice customs curtesy to great kings' and even so awfully nice a custom as the right of trial by jury might yield to a great public exigency. The constitution provides in substance that the privileges of the writ of habeas corpus shall not be suspended except in time of public peril when the public safety requires it, and it ought to provide that the right of trial by jury shall not be suspended except when the public treasury is bankrupt. Again, it would make but little difference to litigants. Most cases are appealed to the Supreme Court anyhow, and that august tribunal has fallen into the habit of trying cases over again, paying little attention to the verdict of a jury and no attention at all to the findings of a First Circuit Judge—and it may be suggested that the Supreme Court is not altogether wrong in its practice in this respect. Surely, something must be done to relieve the situation or the courts will close and lawyers and litigants and court officials will be remitted to an old-time diet of poi and raw fish.

## WILCOX'S EXPLANATIONS.

It is reported from Kauai that Delegate Wilcox was asked some embarrassing questions about his record in Congress by men who had previously supported him. Where was the fire claim appropriation? What money had Wilcox got for Hawaiian public works? Where was the Queen's subsidy? Of the billion dollars distributed at the session of Congress now closed why was it that Hawaii had not secured a single cent through Wilcox's agency? The Home Rule Delegate had written here that the President was his friend, that he had the good will of the strongest men in Congress; and Cayless in his adulatory speech had declared that the leaders of both the Senate and House were on terms of familiar intimacy with the Hawaiian Delegate. If all this was the truth why should Wilcox's work in Congress have come to nothing?

These are questions which Mr. Wilcox has thus far been unable to meet. He wriggles, twists, indulges in futile boasts and finally says that the million dollars of fire claims would have been secured if he had been in the House when the item came up. But why was he absent? He was not ill at the time; on the contrary he was hurrying home to try and secure a re-nomination. By his own story he thought it better that Hawaii should lose a million dollars than to stand the chance of losing him. Yet if he had staid at his post, as the people had depended on him to do, and had rounded the million up, nothing could have kept him from going back to Washington.

The more Wilcox explains, the more hopeless his case is. He no longer deceives his native followers; wherever he speaks, questions he must dodge or answer to his detriment are plucked at him by whilom supporters.

There ought to be a legal age-limit for ships, a time when they, like naval officers, must appear before a retiring board. Every few weeks the public hears that some vessel is overdue which, "because of her age," it is feared will never be seen again. Apparently after a ship reaches a certain period of life she is expected to go down. If that is the case she ought not to be permitted to engage in trade, as both passengers and shippers have as much moral right to know that a ship is seaworthy before they engage with it as they would have to know that a highway or a bridge is passable before they start to traverse it.

Isaac Noar is the new political Moses who promises to lead us all, Gentiles as well as Jews, into the promised land of good government. Isaac has seen politics in New York, where, it appears, there are some fine examples of achieved reform even in "de Ate district," in which he wore the political gaberdine. At the head of his Good Government club Isaac will see whether, in the next primaries, the efforts of men of wide political experience to have their names put on the ticket are left unrecognized. The town has waited for a reform like this and it rises as one man to hail the new lawgiver.

## DROUTH AND EXPORTS.

It is now practicable to determine the effect of the drouth of 1901 upon the export trade of 1902. The Treasury Bureau of Statistics has just completed its preliminary figures on the exports of breadstuffs and provisions and, as they show about 97 per cent of the total exports, a reasonably accurate measurement of the exportation of articles affected by the drouth of last year can now be made. The tables show the exports of quantities and value of corn and corn meal, oats and oatmeal, wheat flour and other breadstuffs, also live cattle, fresh beef and other beef products as well as other provisions. The direct and most marked reduction of course is in corn which was most largely affected by the drouth of 1901. The exportation of corn at the principal ports, shown by the preliminary report of the Bureau of Statistics, amounts to 28,000,000 bushels in the fiscal year ending June 30, 1902, against 176,000,000 at the same ports in the preceding year, the value for 1902 being \$18,000,000 against \$82,000,000 in the preceding year, a reduction of \$64,000,000; the complete figures will probably show the total exports at about 27,000,000 bushels against 181,000,000 in the preceding year. Exportations of corn meal have also fallen from \$2,000,000 in 1901 to \$1,600,000 in 1902, making the total reduction in corn exports in round terms, as shown by the preliminary figures, \$67,000,000. Compared with the fiscal year 1900 the reduction is still greater; the corn exports for the fiscal year 1900 were the largest in the history of our export trade, having amounted to 213,123,412 bushels while for the year just ended the complete figures will amount to about 27,000,000 bushels.

But the effect of the drouth upon the export trade did not stop with corn, though in this item it is most largely apparent. The reduction in the quantity of corn available for live stock naturally increased the consumption of oats and, as a result, the exportation of oats fell off from 37,000,000 bushels in the fiscal year 1901 to 10,000,000 bushels in 1902, and the value from about \$12,000,000 in 1901 to \$4,000,000 in 1902. In oatmeal, exportations fell from 90,000,000 pounds in 1901 to 59,000,000 pounds in 1902, while the value fell from \$2,250,000 in 1901 to a little over \$1,500,000 in 1902. Thus the reduction in value of breadstuffs, clearly traceable to the drouth, was: Corn and corn meal, \$67,000,000; oats and oatmeal, \$8,000,000; total, \$75,000,000.

Two other marked reductions in the exportation of products of agriculture are beef, including live cattle, and cotton. The exportation of live cattle has fallen from 461,000 in 1901 to 313,000 in 1902; the exportation of fresh beef from 250,000,000 pounds in 1901 to 300,000,000 pounds in 1902, and the total value of cattle and beef products has fallen from \$80,000,000 in 1901 to \$69,000,000 in 1902, a loss of \$11,000,000. In cotton the reduction is wholly due to the reduced prices, the quantity exported for the year being 160,000,000 pounds greater than in the preceding year, while the value was \$23,000,000 less than the preceding year.

One other item of exports which will show a marked reduction during the last year is iron and steel. While the total figures of exports have not been received by the Bureau of Statistics, sufficient have been received to justify an estimate that the reduction in exports of iron and steel will amount, in round terms, to \$20,000,000, due in a large measure to increase in the home demand upon our manufacturers, and in part to the decreased demand abroad. The principal reduction in the export trade of the year will then stand: Corn and corn meal and oats and oatmeal, \$75,000,000, due chiefly to the drouth of 1901; beef and beef cattle, \$11,000,000, due to increased home demand and shortage in material for feed of stock; cotton, \$24,000,000, due to reduction in prices; manufactures of iron and steel, \$20,000,000, due to increased home demand and decreased foreign demand.

Thus in the four items of exports—corn and oats, beef and beef cattle, raw cotton, and manufactures of iron and steel, the reduction for the fiscal year will amount to about \$130,000,000, while the total reduction in all exports is but about \$90,000,000, thus indicating that the general exports aside from these four classes, in which conditions were abnormal, will show a satisfactory growth when the complete figures of the fiscal year are presented.

That is an excellent rule adopted by the Governor's Council, that hereafter all lessees of public lands must covenant to keep them free of lanterns. If this idea had come up years ago pasturage would be far better than it is. Its application now will do much to save what pasturage is left and redeem some of the encumbered acreage.

This time no chances will be taken in Hawaii with the King's coronation. Not until the news has been received of the actual event will the consul display his flag. Celebrating a prearranged date for a distant ceremony is risky business in cableless Hawaii.

Interest in the coming news is divided, according to taste, between the prize fight, the adventures of Tracy, Eastern politics and the seismic situation in the Azores.

Will it be fusion or confusion?

Various objects usually invisible may be seen under unusual conditions. The flight of a cannon ball may be viewed by an observer favorably placed for sighting along its course, and the sea-bottom along coasts can be studied by persons in balloons. It was while trying to learn whether submarine vessels can be seen from a captive balloon as far away as a mile or two that a French officer lately fell into the sea and was drowned, leaving this secret yet to be revealed.

## NEW WHARVES ON HAWAII COAST

Nawiliwili Is to Have a Concrete Pier Landing Place.

Since the completion of the Ke Au Hou wharf, there is being pushed work on other wharves which will give to the Kona side of Hawaii some of the finest wharves on the group. The new dock is built with concrete piers instead of the old fashioned piles, for the new system gives an anti-torpedo foundation for the superstructure. This will be the course of construction followed at Nawiliwili, where the work of rebuilding is now going on. The surveys are being made at Kawaihae, where the landing will be removed from the present site to one further up the beach nearer to the old cattle pens. This will make the pull from the ship shorter, and as soon as the direction of the tides is located so that there may be no danger of washing, the landing will be constructed. Like the others this will have a shed covering the entire wharf and will be in every way first class construction.

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

NOTICE IS HEREBY GIVEN THAT by virtue of a power of sale contained in three certain mortgages made by J. W. L. Lapaula and Kahalo Lapaula, his wife, of Pahoehe, South Kona, Island of Hawaii, the first made to James T. Leach and dated July 29, 1899, and recorded in the office of the Registrar of Conveyances in Liber 117 on folios 256-258, and assigned by Liliuokalani to Fred L. Leslie of Honolulu, Island of Oahu, by assignment dated March 26, 1902, and recorded in the office of the said Registrar in Liber 232 on folios 253-254, the second made to J. H. Schrack and dated March 4th, 1897, and recorded in the office of the said Registrar in Liber 170 on folios 22-23, and assigned by William L. Peterson to said Fred L. Leslie by assignment dated March 25, 1902, and recorded in the office of the said Registrar in Liber 232 on folios 254-255, and the third made to the said Fred L. Leslie and dated April 12, 1897, and recorded in the office of the said Registrar in Liber 170 on folios 222-224, the said Fred L. Leslie, assignee and mortgagee, intends to foreclose said mortgages for a breach of the conditions in said mortgage contained, to-wit: the non-payment of both the principal and interest when due.

Notice is also hereby given that all and singular the lands, tenements and hereditaments in said mortgages contained and described will be sold at public auction at the auction rooms of Will E. Fisher on the corner of Merchant and Alakea streets in said Honolulu, on Wednesday, the 20th day of August, A. D. 1902, at 12 o'clock noon of said day.

The property in said mortgages is thus described, viz:

1.—All that certain tract, piece or parcel of land situate at Maunaloa and Makuu in said South Kona, containing an area of 309 acres, being the same premises more particularly described in Royal Patent (Grant) No. 1971 to Ke-hiahue and that were conveyed by him to the said J. W. L. Lapaula by deed dated December 11, 1882, and recorded in the office of the said Registrar in Liber 80 folios 4 and 5.

2.—All the right, title and interest of said J. W. L. Lapaula being a one undivided fifteenth share in and to all that certain tract or parcel of land situate in said South Kona and being Pahoehe 1, 2, 3 and 4, and the same premises described in Royal Patent (Grant) No. 1974 to Ke-hiahue and that were conveyed by him to the said J. W. L. Lapaula by deed dated March 19, 1884, and recorded in the office of the said Registrar in Liber 86, folios 389-390.

3.—The one undivided half of all that certain piece or parcel of land situate at Pahoehe 3 in said South Kona, containing an area of 4 1/2-100 acres, and being the same premises described in Royal Patent (Grant) No. 1974, said 10 acres having been conveyed to said Kahalo Lapaula by Paulua by deed dated November 13, 1889, and recorded in the office of the said Registrar in Liber 122 folios 34-344.

FRED L. LESLIE, Assignee and Mortgagee.

Terms: Cash. Deeds at expense of purchaser.

For further particulars, apply to J. M. MONSARRAT, Attorney for Assignee and Mortgagee.

Dated Honolulu, July 25, 1902.

6230—July 25, Aug. 1, 8, 15.

## NOTICE TO CREDITORS.

THE UNDERSIGNED, HAVING been duly appointed executrix of the last will and testament of William Thompson, late of Honolulu, Oahu, deceased, hereby gives notice to all persons having claims against the estate of the deceased to present the same to the undersigned at her place of residence or to her agent, Mr. Frank C. Poor, No. 25 Queen street, Honolulu aforesaid, duly authenticated and with proper vouchers, if any exist, whether secured by mortgage or otherwise, within six months from this date, or they will be forever barred. And all persons indebted to said estate are requested to make immediate payment to the undersigned or her agent.

Honolulu, July 31st, 1902.

MARY THOMPSON, Executrix Will of William Thompson, Deceased.

6236

## NOTICE.

THE HONOLULU FRENCH LAUNDRY, 1104 N. King St., has no branch laundry, nor is it a branch of any other French laundry. We only turn out first-class work.

6242 MRS. LE BEUF, Manager.

## QUARTERLY MEETING

THE ADJOURNED QUARTERLY meeting of the Pacific Hardware Co., Ltd. will be held at the office of the R. F. Dillingham Co., Ltd., on Friday, August 15th, at 2 o'clock p. m.

J. G. SPENCER, Secretary.

Honolulu, August 7th, 1902. 6242

## Rheumatism

Is a rack on which you need not suffer long.

It depends on an acid condition of the blood, which affects the muscles and joints, causes inflammation and pain, and results from defective digestion and a torpid action of the liver, kidneys and skin.

Sciatica, lumbago and stiff neck are forms of it.

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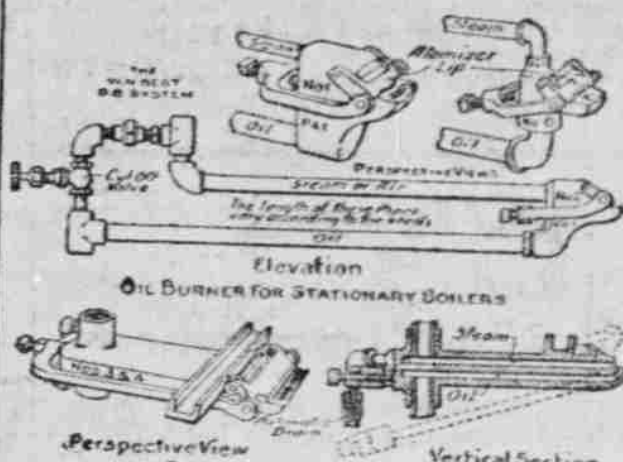
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